

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Lawrence Terry,)	C/A No. 3:11-57-JFA-PJG
)	
Plaintiff,)	
v.)	ORDER
)	
United States Postal Service,)	
)	
Defendant.)	
_____)	

The *pro se* plaintiff, Lawrence Terry, brings this action based on the alleged negligence of one of its employees. He contends that in another lawsuit he has pending before this court, *Terry v. Allen University*, C/A No. 3:10-90-JFA-PJG, he missed the deadline to file a response to a motion. Terry alleges that a U.S. Postal Service employee negligently mislabeled his post office box which caused the failed delivery of an order of this court in a timely manner.

The Magistrate Judge assigned to this action¹ has prepared a Report and Recommendation and opines that this matter is duplicative of an earlier complaint the plaintiff filed in this district which is currently pending before the Fourth Circuit Court of Appeals. *See Terry v. United States Postal Service*, C/A No. 3:10-2095-JFA-PJG. The Magistrate Judge suggests that the instant case should be summarily dismissed in the interest

¹ The Magistrate Judge's review is made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Civil Rule 73.02. The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the court. *Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b)(1).

of judicial economy and efficiency. The Report sets forth in detail the relevant facts and standards of law on this matter, and the court incorporates such without a recitation.

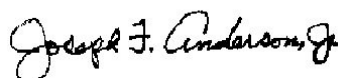
The plaintiff was advised of his right to file objections to the Report and Recommendation, which was entered on the docket on February 11, 2011. However, the plaintiff failed to file objections. In the absence of specific objections to the Report of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. *See Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983).

After carefully reviewing the applicable laws, the record in this case, and the Report and Recommendation, this court finds the Magistrate Judge's recommendation fairly and accurately summarizes the facts and applies the correct principles of law. The Report is incorporated herein by reference.

Accordingly, this action is dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.

March 7, 2011
Columbia, South Carolina



Joseph F. Anderson, Jr.
United States District Judge